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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET  
METAL WORKERS HEALTH CARE PLAN OF  
NORTHERN CALIFORNIA, et al.,

Plaintiff(s),

vs.

S & L PAYTON, INC.,

Defendant.

No. C 05-2999 MEJ

ORDER DIRECTING PARTIES TO FILE  
CONSENT/DECLINATION FORM;

ORDER DIRECTING PLAINTIFFS TO  
SERVE THIS ORDER ON DEFENDANT.

Pending before the Court is parties' joint stipulation for judgment, filed August 18, 2005. Upon review of the record in this action, the Court notes that parties have not filed a written consent to Magistrate Judge James' jurisdiction or request for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the Magistrate Judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and

1 disposition. On the court's website is the form which allows you to either consent to, or decline Judge  
2 James' jurisdiction and request reassignment to a District Judge. Accordingly, parties shall inform the court,  
3 by filing a consent or declination form. Parties shall inform the Court as soon as possible, but no later than  
4 September 6, 2005.

5 Lastly, plaintiffs are directed to serve this Order upon defendant.

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7 IT IS SO ORDERED.

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9 Dated: August 23, 2005

  
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10 MARIA-ELENA JAMES  
11 United States Magistrate Judge  
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